

APPENDIX

C

**Objection to Temporary Event Notice application- Kite at The Red Hart, 28-29
Bucklersbury, Hitchin (licence reference LC/7568)**

I wish to object to the above Temporary Event Notice (TEN) application received on 4th August 2018 under the licensing objective 'Prevention of Public Nuisance' due to concerns about the impact of noise on nearby residents from the extension of licensable activities at the premises. The TEN seeks to extend licensable activities as follows (quoted directly from the application form):

"The event is a two day carnival themed celebration featuring live music acts playing world music. We would like to extend the hours during which we can play live music outside on Saturday night from 23:00 to 24:00. In order for customers to finish drinking after acts finish at 24:00, we would also like to extend drinking in the garden from 24:00 to 01:00. Door supervisors and security staff will be working on the night alongside management ensuring the venue adheres to licensing legislation. The top/back area of the garden will remain closed (as usual) from 22:00.

We would also like to run an outside bar from 15:00 - 24:00 (when the music stops). To help alleviate long waits at the bar. This would not permit takeaway drinks, all drinks will be served out of plastics and would be consumed within the premises."

The current premises licence, which has only been in place since April, has a number of hours restrictions and conditions related to the use of the outside areas of the premises for drinking and regulated entertainment. These restrictions and conditions were agreed with the licence applicant and were considered necessary by Environmental Protection in order to avoid causing noise disturbance to adjacent residents at the rear and to the side of the premises. The residential properties in question overlook the outside areas of the premises and are in very close proximity and so there is a high potential for them to be disturbed by licensable activities taking place later into the night and early hours of the morning. For reference, the restrictions and conditions agreed are as follows:

- Live and recorded music outdoors is permitted until 23:00.
- The rear garden area which starts at the end of the main building of the premises shall be closed to patrons after 21:00 Sundays to Thursdays and after 22:00 Fridays and Saturdays.
- No drinks shall be permitted in the external areas of the premises after 23:00 on Thursdays or after 00:00 on Fridays and Saturdays.

A noise complaint was received on 2nd June 2018 regarding a DJ playing recorded music in the garden of the premises at 22:30. Although this complaint was not substantiated, it still demonstrates the potential for such as activities taking place in the external areas of the premises to cause disturbance to nearby residents.

If an external bar area is permitted this will also increase the potential for noise disturbance to the local residents in terms of people noise. This is an additional licensable activity to what is already permitted on the current licence and therefore there will be an increased potential for a public nuisance to occur.

If this TEN is granted it will allow the premises to circumvent the current licence conditions which are in place to ensure the prevention of public nuisance. I therefore recommend that the TEN is **not** granted.

A handwritten signature in black ink that reads "Crowe". The letters are cursive and connected.

Shayne Crowe
Environmental Protection and Housing Manager
North Hertfordshire District Council
9th August 2018